

**FILED**

JUN 15 2005

NEW JERSEY BOARD OF  
CHIROPRACTIC EXAMINERS

ORIGINAL

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STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF CHIROPRACTIC EXAMINERS

IN THE MATTER OF THE SUSPENSION  
OF THE LICENSE OF

FRED L. KINGSBURY, D.C.  
License No. MC 1649

TO PRACTICE CHIROPRACTIC  
IN THE STATE OF NEW JERSEY

Administrative Action

CONSENT ORDER

This matter was opened to the New Jersey State Board of Chiropractic Examiners (hereinafter "the Board") upon receipt of information that: Fred L. Kingsbury, D.C. (hereinafter "Respondent") had engaged in sexual contact with patient L.G., a woman with whom he had a patient-chiropractor relationship; and that Respondent had failed to prepare and maintain a contemporaneous, permanent patient record for L.G.

Having reviewed the entire record, it appears to the Board that Respondent has admitted that on one occasion he did engage in sexual contact with L.G. at his office/home. It further appears to the Board that L.G. was an active chiropractic patient receiving care from Respondent within a patient-chiropractor relationship less than three months prior to the sexual contact, and that there was no written notice to L.G. or documentation in her patient record of a termination of the

patient-chiropractor relationship. Respondent failed to prepare and maintain any patient record for L.G., although he admitted that he had provided chiropractic care to her on a regular basis.

These facts establish a basis for disciplinary action pursuant to N.J.S.A. 45:1-21(e), by virtue of violations of N.J.A.C. 13:44E-2.3, the Board rule on Sexual Misconduct, and N.J.A.C. 13:44E-2.2, the Board rule on record keeping. It appearing that Respondent desires to resolve this matter without recourse to formal proceedings, and for good cause shown;

IT IS ON THIS DAY OF *June 1*, 2005

HEREBY ORDERED AND AGREED THAT:

1. Respondent's license to practice chiropractic in the State of New Jersey be, and hereby is, suspended for a period of one (1) year, which suspension shall be stayed and served as a period of probation, provided that Respondent adheres fully and completely to the terms and conditions set forth herein and complies fully and completely with all statutes and regulations governing the practice of chiropractic during said period of probation. Such stayed period of suspension shall be activated upon a showing of Respondent's non-compliance during said period of probation with any of the terms and conditions set forth herein, or with any of the statutes and regulations governing the practice of chiropractic;
2. Respondent shall fully attend and successfully complete and unconditionally pass the ProBE (Professional Problem Based Ethics) course offered by: The Ethics Group, 89 Summit Avenue, Suite 185, Summit, New Jersey 07901, or the PRIME (Professional Renewal in Medicine through Ethics) course offered by the Center for Continuing Education in the Health Professions at UMDNJ-Robert Wood Johnson Medical School, 97 Paterson Street, Room 124, New Brunswick, New Jersey 08903, and appear before the Board prior to applying for re-admission into practice;
3. Respondent is hereby assessed a civil penalty, pursuant to N.J.S.A. 45:1-22, in the amount of \$5,000.00 in connection with the aforesaid conduct. Payment of the civil penalty shall be submitted no later than twenty-one (21) days from the entry of this Consent Order, by certified

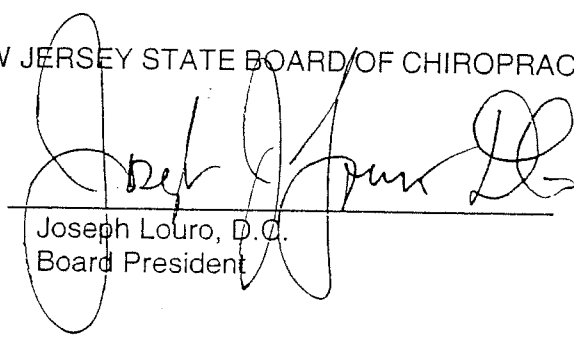
check or money order made payable to the State of New Jersey and shall be sent to Joanne Boyer, Acting Executive Director, Board of Chiropractic Examiners, 124 Halsey Street, Sixth Floor, P.O. Box 45004, Newark, New Jersey 07101. Subsequent violations will subject respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25;

4. Respondent is hereby assessed the costs to the State of the investigation in this matter in the amount of \$6,470.00. Payment for the costs shall be submitted by certified check or money order made payable to the State of New Jersey and submitted to the Board no later than twenty-one (21) days from the entry of this Consent Order. Payment shall be sent to Joanne Boyer at the address described in paragraph 3; and

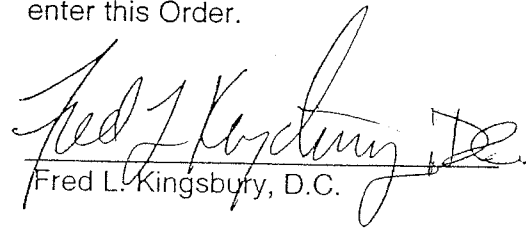
5. Failure to comply with any provisions of this Order or remit any and all payments required by this Order will result in the filing of a certificate of debt and may result in subsequent disciplinary proceedings for failure to comply with an Order of the Board.

NEW JERSEY STATE BOARD OF CHIROPRACTIC EXAMINERS

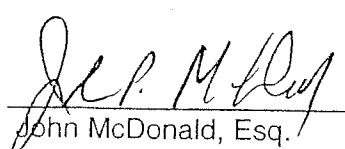
By:

  
Joseph Louro, D.C.  
Board President

I have read and understand the within Consent Order and agree to be bound by its terms. Consent is hereby given to the Board to enter this Order.

  
Fred L. Kingsbury, D.C.

Consent is hereby given to the form and entry of this Order.

  
John McDonald, Esq.  
Attorney for Fred L. Kingsbury, D.C.